

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CASE NO.: 05-CV-2210(DC)
THE HONORABLE DENNY CHIN

RENATO GUIMARAES, JR.,

Plaintiff,

vs.

SPEISER, KRAUSE, NOLAN &
GRANITO, a professional corporation f/k/a
SPEISER, KRAUSE, MADOLE & LEAR, a
professional corporation,

Defendant.

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**PLAINTIFF'S RESPONSE MEMORANDUM OF LAW
REGARDING DEFENDANT'S MOTION TO AMEND ANSWER**

Plaintiff, RENATO GUIMARAES, JR., hereby submits his Response Memorandum of Law
Regarding Defendant's Motion to Amend Answer stating:

Plaintiff Guimaraes disputes the factual and substantive legal arguments asserted by Speiser,
Krause, Nolan & Granito ("Speiser Krause") in its Memorandum of Law in Support of Defendant's
Motion to Amend Answer. However, Guimaraes acknowledges that leave to amend is liberally
granted. Accordingly, Guimaraes does not oppose Speiser Krause receiving leave to amend its
Answer to include affirmative defenses of breach of the covenant of good faith and fair dealing, and
breach of contract (though Guimaraes denies that such defenses are well founded).

Guimaraes v. Speiser Krause
Case No.: 05-CV-2210(DC)

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on June 14, 2007, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system which will send a notice of electronic filing to the following: **William J. Apuzzo, Attorney for Defendant, 800 Third Avenue, Suite 800, New York, NY 10022.**

s/ Jose R. Riguera
Counsel of Record for Plaintiff
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